

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

018842.1319

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/510342

INTERNATIONAL APPLICATION NO.

PCT/JP03/04441

INTERNATIONAL FILING DATE

April 8, 2003

PRIORITY DATE CLAIMED

April 9, 2002

TITLE OF INVENTION

Variable Displacement Compressor

APPLICANT(S) FOR DO/EO/US

Yukihiko Taguchi

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (U.S. NO.) 104510342

INTERNATIONAL APPLICATION NO.

PCT/JP03/04441

ATTORNEY'S DOCKET NUMBER

018842.1319

21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO. \$1080.00International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$920.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY**

\$ 1080.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months
from the earliest claimed priority date (37 CFR 1.492(e)).

\$

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ |
|---|--------------|--------------|------------|----|
| Total claims | 5 - 20 = | 0 | x \$18.00 | \$ |
| Independent claims | 1 - 3 = | 0 | x \$86.00 | \$ |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$290.00 | \$ |

TOTAL OF ABOVE CALCULATIONS =

\$ 1080.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.

\$

SUBTOTAL =

\$ 1080.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months
from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$ 1080.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$ 1080.00

Amount to be
refunded:

\$

charged:

\$

a. ☒ A check in the amount of \$ 1080.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 02-0375. A duplicate copy of this sheet is enclosed.d. ☐ Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card
information should not be included on this form. Provide credit card information and authorization on PTO-2038.****NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)
or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

24735

SIGNATURE

James B. Arpin

NAME

33,470

REGISTRATION NUMBER

| FEE TRANSMITTAL [MAIL STOP] | | <i>Complete If Known</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|----------------|--------------------------|-----------------|---|--------------|--------------------------|--|-----------------|----------|--|----|---|----|---|----|---|----|--|----|---|----|---|----|---|----|--|----|--|----|---|----|---|----|--|----|---|----|--|----|--|----|
| | | Application No. | | New 10/510342 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Filing Date | | October 5, 2004 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | First Named Inventor | | Yukihiko Taguchi | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Examiner Name | | To be assigned | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Group Art Unit | | To be assigned | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Amount Of Payment (\$) | | 1080.00 | | Attorney Docket No. | | 018842.1319 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| METHOD OF PAYMENT (check one) | | | | FEE CALCULATION (continued) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to Deposit Account No. 02-0375 in the name of Baker Botts L.L.P. <input type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-0375 . | | | | 3. ADDITIONAL FEES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> <tr><td><input type="checkbox"/> Surcharge - late filing fee or oath</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Extension for reply with 1 month</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Notice of Appeal</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Filing Brief in Support of Appeal</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Request for Oral Hearing</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Utility Issue Fee (or reissue)</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Design Issue Fee</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Plant Issue Fee</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petitions to Commissioner</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petition to Revive (unavoidable)</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petition to Revive (unintentional)</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petitions Related to Provisional Applications</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Submission of Information Disclosure Statement</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Filing Submission After Final Rejection</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Recording Each Patent Assignment Per Property</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Filing Request for Reexamination</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Other (specify) National Phase Filing</td><td style="text-align: right;">\$ 1080.00</td></tr> </table> | | | | Fee Description | Fee Paid | <input type="checkbox"/> Surcharge - late filing fee or oath | \$ | <input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet | \$ | <input type="checkbox"/> Extension for reply with 1 month | \$ | <input type="checkbox"/> Notice of Appeal | \$ | <input type="checkbox"/> Filing Brief in Support of Appeal | \$ | <input type="checkbox"/> Request for Oral Hearing | \$ | <input type="checkbox"/> Utility Issue Fee (or reissue) | \$ | <input type="checkbox"/> Design Issue Fee | \$ | <input type="checkbox"/> Plant Issue Fee | \$ | <input type="checkbox"/> Petitions to Commissioner | \$ | <input type="checkbox"/> Petition to Revive (unavoidable) | \$ | <input type="checkbox"/> Petition to Revive (unintentional) | \$ | <input type="checkbox"/> Petitions Related to Provisional Applications | \$ | <input type="checkbox"/> Submission of Information Disclosure Statement | \$ | <input type="checkbox"/> Filing Submission After Final Rejection | \$ | <input type="checkbox"/> Recording Each Patent Assignment Per Property | \$ |
| Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Surcharge - late filing fee or oath | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Extension for reply with 1 month | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Notice of Appeal | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Filing Brief in Support of Appeal | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Request for Oral Hearing | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Utility Issue Fee (or reissue) | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Design Issue Fee | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Plant Issue Fee | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Petitions to Commissioner | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Petition to Revive (unavoidable) | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Petition to Revive (unintentional) | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Petitions Related to Provisional Applications | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Submission of Information Disclosure Statement | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Filing Submission After Final Rejection | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Recording Each Patent Assignment Per Property | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Filing Request for Reexamination | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Other (specify) National Phase Filing | \$ 1080.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. <input checked="" type="checkbox"/> Check Enclosed. The Commissioner is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to Deposit Account No. 02-0375 in the name of Baker Botts L.L.P., The Warner, Suite 1300, 1299 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2400. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FEE CALCULATION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. BASIC FILING FEE <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Utility Filing Fee | | | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Design Filing Fee | | | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plant Filing Fee | | | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reissue Filing Fee | | | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Provisional Filing Fee | | | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. EXTRA CLAIMS FEES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CLAIMS AS AMENDED | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| For | Number Present | Highest Number Paid For | Extra | Rate | | Amount | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | Large Entity | Small Entity | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL CLAIMS | 5 | 20 | 0 | x \$ 18.00 | x \$ 9.00 | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| INDEPENDENT CLAIMS | 1 | 3 | 0 | x \$ 86.00 | x \$ 43.00 | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIMS | | | | \$ 290.00 | \$ 145.00 | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL EXTRA CLAIMS FEES | | | | | | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBMITTED BY | | | | | | Complete (if applicable) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Typed or Printed Name | | James D. Arpin | | Registration No. | | 33,470 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Signature | | Date 10/5/04 | | Deposit Account User ID | | 02-0375 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |